

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

MICHAEL DRAVET,)	
)	
Plaintiff,)	Case No. 2:18-cv-00234-RL-JEM
)	
v.)	
)	
INDIANA HARBOR BELT RAILROAD)	
COMPANY, a corporation, and NORFOLK)	
SOUTHERN RAILWAY)	
COMPANY, a corporation,)	
)	
Defendants.)	

REPORT OF PARTIES' PLANNING MEETING

1. The parties conferred via electronic mail under Fed. R. Civ. P. 26(f) and agreed to this report on July 26, 2018. George Bruggess participated for the plaintiff, and John Duffey and Heather Emehiser participated for the defendants.

2. Jurisdiction.

The court has jurisdiction under 45 U.S.C. §56 and 28 U.S.C. §§1331, 1367. The parties agree that Plaintiff's action against Defendant Indiana Harbor Belt Railroad Company arises under the Federal Employers' Liability Act, 45 U.S.C. § 51, *et seq.*, and that the court has supplemental jurisdiction over Plaintiff's action against Defendant Norfolk Southern Railway Company.

3. Pre-Discovery Disclosures.

The parties will exchange, but may not file, Rule 26(a)(1) information by **August 31, 2018**.

4. Discovery Plan.

The parties propose the following discovery plan.

Discovery will be needed on the following subjects: Liability; Plaintiff's injuries; Plaintiff's damages.

Disclosure or discovery of electronically stored information should be handled as

follows: Parties will cooperate to ensure all electronic information is preserved and produced.

The last date to complete all discovery is **August 19, 2019**.

Maximum of **40** interrogatories by each party to any other party.

Maximum of **40** requests for admission by each party to any other party.

Maximum of **60** requests for production by each party to any other party.

Maximum of **10** depositions by plaintiff and 10 depositions by defendants.

Each deposition is limited to a maximum of **6 hours** unless extended by stipulation.

The parties must disclose the identity of any Rule 26(a)(2) witness and the witness's written report (if applicable) by:

May 20, 2019 for plaintiff;

July 1, 2019 for defendants; and

August 19, 2019 for Rule 26(e) supplements.

5. Other Items.

The last date the plaintiff may seek permission to join additional parties and to amend the pleadings is **October 18, 2018**.

The last date the defendants may seek permission to join additional parties and to amend the pleadings is **October 18, 2018**.

The time to file Rule 26(a)(3) pretrial disclosures will be governed by separate order.

This case should be ready for jury trial by **November, 2019** and at this time is expected to take approximately **4-5 days**.

The parties have no other matters to address at this time.

6. Alternative Dispute Resolution.

The case's settlement prospects may be enhanced via the following ADR procedure: Mediation.

The parties have agreed upon John E. Hughes, Hoeppner Wagner & Evans LLP as mediator.

Date: July 26, 2018

/s/ George Brugess
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Chicago, IL 60601
Attorney for Plaintiff

/s/ John Duffey
John Duffey
Heather Emenhiser
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300 Main Street, Suite 800
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Lafayette, IN 47902
Attorneys for Defendants

APPROVED AND SO ORDERED:

Date: _____

John E. Martin, Magistrate Judge
USDC, Northern District of Indiana
Hammond Division

CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of July, 2018, a copy of the foregoing was filed electronically. Notice of this filing will be sent to the following by operation of the Court's electronic filing system:

George Brugess
Cogan & Power, P.C.
1 E. Wacker Drive – Suite 510
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Parties may access this filing through the Court's system.

/s/ John C. Duffey
John C. Duffey

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